

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Paul W. Koprivnak**  
Debtor(s)

Bankruptcy Case No.: 16-22856-JAD  
Issued Per May 18, 2017 Proceeding  
Chapter: 13  
Docket No.: 35 – 15, 31  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 27, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: I.R.S. at Claim No. 5 .
- ☒ H. Additional Terms: The Trustee shall not pay the secured claim of Quantum3 Group, LLC at Claim No. 1 as the creditors collateral is to be surrendered. The secured claim of Springleaf Financial at Claim No. 4 shall govern as to claim amount, to be paid at modified plan terms in an amount of \$322 per month.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: May 25, 2017

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Paul W. Koprivnak  
 Debtor

Case No. 16-22856-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 39

Date Rcvd: May 25, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 27, 2017.

db  
 cr  
 14268541 +Paul W. Koprivnak, 122 John Street, New Brighton, PA 15066-9707  
 14268538 +Ditech Financial LLC fka Green Tree Servicing LLC, 14841 Dallas Parkway, Suite 300,  
 Dallas, TX 75254-7883  
 14280068 +COMENITYCAPITALBANK/BOSCOV'S DEP, PO BOX 182120, Columbus, OH 43218-2120  
 14268540 +Capital One, PO Box 30281, Salt Lake City, UT 84130-0281  
 14338329 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 +Chase Card, PO Box 15298, Wilmington, DE 19850-5298  
 Department Store National Bank, c/o Quantum3 Group LLC, PO Box 657,  
 Kirkland, WA 98083-0657  
 14341193 Directv, LLC, by American InfoSource LP as agent, PO Box 5008,  
 Carol Stream, IL 60197-5008  
 14268544 +GULF OIL, 8035 QUIVIRA RD STE 100, Lenexa, KS 66215-2746  
 14321096 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011  
 14268549 +Macys dsnb, 9111 Duke Boulevard, Mason, OH 45040-8999  
 14268551 +Nationstar Mortgage, PO Box 619063, Dallas, TX 75261-9063  
 14268552 +Nationstar Mortgage, PO Box 60516, City of Industry, CA 91716-0516  
 14275987 +Nationstar Mortgage, LLC, c/o ALDRIDGE PITE, LLP, 4375 Jutland Drive, Suite 200,  
 P.O. Box 17933, San Diego, CA 92177-7921  
 14268553 +Sears/Chna, PO Box 6283, Sioux Falls, SD 57117-6283  
 14344700 +THE BANK OF NEW YORK MELLON, Nationstar Mortgage LLC, PO Box 619096, Dallas TX 75261-9096  
 14268543 +US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
 (address filed with court: ELAN FINANCIAL SERVICES, PO BOX 108, Saint Louis, MO 63166)  
 14268560 +Verizon, 500 Technology Drive Suite 30, Weldon Spring, MO 63304-2225

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr  
 E-mail/PDF: rmscedi@recoverycorp.com May 26 2017 00:51:41  
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,  
 Miami, FL 33131-1605  
 14333698 E-mail/Text: ebn@squaretwofinancial.com May 26 2017 00:56:33 CACH, LLC, PO Box 5980,  
 Denver, CO 80217-5980  
 14268542 +E-mail/Text: bankruptcy.bnc@ditech.com May 26 2017 00:56:06 Ditech, PO Box 6172,  
 Rapid City, SD 57709-6172  
 14344241 E-mail/Text: bankruptcy.bnc@ditech.com May 26 2017 00:56:06  
 Ditech Financial LLC fka Green Tree Servicing LLCf, P.O. Box 6154,  
 Rapid City, South Dakota 57709-6154  
 14344508 +E-mail/Text: DQENOTICES@BERNSTEINLAW.COM May 26 2017 00:56:43 Duquesne Light Company,  
 c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,,  
 Pittsburgh, PA 15219-1945  
 14268546 E-mail/Text: cio.bncmail@irs.gov May 26 2017 00:56:05 Internal Revenue Service,  
 Insolvency Unit, POB 628, Pittsburgh, PA 15230  
 14321871 E-mail/Text: bkr@cardworks.com May 26 2017 00:56:02 MERRICK BANK,  
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368  
 14268550 +E-mail/Text: bkr@cardworks.com May 26 2017 00:56:02 Merrick Bank, PO Box 9201,  
 Old Bethpage, NY 11804-9001  
 14280573 E-mail/Text: RVSVCBICNOTICE@state.pa.us May 26 2017 00:56:14 PA Department of Revenue,  
 Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0496  
 14343419 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com May 26 2017 00:59:04  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 14280574 E-mail/Text: bnc-quantum@quantum3group.com May 26 2017 00:56:09 Quantum3 Group LLC,  
 P.O. Box 788, Kirkland, WA 98083-0788  
 14271606 E-mail/Text: bnc-quantum@quantum3group.com May 26 2017 00:56:10  
 Quantum3 Group LLC as agent for, Sterling Jewelers Inc, PO Box 788,  
 Kirkland, WA 98083-0788  
 14273958 E-mail/PDF: rmscedi@recoverycorp.com May 26 2017 00:51:42  
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,  
 Miami, FL 33131-1605  
 14268555 E-mail/PDF: cbp@onemainfinancial.com May 26 2017 00:51:28 SPRINGLEAF FINANCIAL SER,  
 PO BOX 59, Evansville, IN 47701  
 14290964 E-mail/PDF: cbp@onemainfinancial.com May 26 2017 00:51:40 SPRINGLEAF FINANCIAL SERVICES,  
 PO BOX 3251, EVANSVILLE, IN 47731-3251  
 14268556 E-mail/PDF: gecsedirecoverycorp.com May 26 2017 00:51:27 SYNCB/TOYSRUS, PO BOX 960090,  
 Orlando, FL 32896-0090  
 14268558 E-mail/PDF: gecsedirecoverycorp.com May 26 2017 00:51:34 SYNCHRONY BANK/LOWES,  
 PO BOX 960090, Orlando, FL 32896-0090  
 14268559 E-mail/PDF: gecsedirecoverycorp.com May 26 2017 00:51:34 SYNCHRONY BANK/WALMART,  
 PO BOX 960090, Orlando, FL 32896-0090  
 14268554 +E-mail/PDF: cbp@onemainfinancial.com May 26 2017 00:51:35 Springleaf, PO Box 64,  
 Evansville, IN 47701-0064  
 14268557 E-mail/PDF: gecsedirecoverycorp.com May 26 2017 00:51:27 Synchrony Bank/JCP,  
 PO BOX 960090, Orlando, FL 32896-0090  
 14268548 +E-mail/Text: ebnsterling@weltman.com May 26 2017 00:56:07 kay Jewelers, 375 GHENT RD,  
 Akron, OH 44333-4600

TOTAL: 21

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 39

Date Rcvd: May 25, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Ditech Financial LLC  
cr Duquesne Light Company  
cr\* +Nationstar Mortgage, LLC, c/o ALDRIDGE PITE, LLP, 4375 Jutland Drive, Suite 200,  
P.O. Box 17933, San Diego, CA 92177-7921  
14280559\* +CCS/FIRST SAVINGS BANK, 500 E 60TH ST N, Sioux Falls, SD 57104-0478  
14280561\* +COMENITYCAPITALBANK/BOSCOV'S DEP, PO BOX 182120, Columbus, OH 43218-2120  
14280558\* +Capital One, PO Box 30281, Salt Lake City, UT 84130-0281  
14280560\* +Chase Card, PO Box 15298, Wilmington, DE 19850-5298  
14280562\* +Ditech, PO Box 6172, Rapid City, SD 57709-6172  
14280564\* +GULF OIL, 8035 QUIVIRA RD STE 100, Lenexa, KS 66215-2746  
14280545\* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346  
14280565\* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346  
14280547\* +Internal Revenue Service, William S. Moorehead Federal Building, 1000 Liberty Avenue,  
Room 727, Pittsburgh, PA 15222-4107  
14280567\* +Internal Revenue Service, William S. Moorehead Federal Building, 1000 Liberty Avenue,  
Room 727, Pittsburgh, PA 15222-4107  
14280566\* +Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230  
14280569\* +Macys dsnb, 9111 Duke Boulevard, Mason, OH 45040-8999  
14280570\* +Merrick Bank, PO Box 9201, Old Bethpage, NY 11804-9001  
14280572\* +Nationstar Mortgage, PO Box 60516, City of Industry, CA 91716-0516  
14280571\* +Nationstar Mortgage, PO Box 619063, Dallas, TX 75261-9063  
14280577\* SYNCRB/TOYSRUS, PO BOX 960090, Orlando, FL 32896-0090  
14280579\* SYNCHRONY BANK/LOWES, PO BOX 960090, Orlando, FL 32896-0090  
14280580\* SYNCHRONY BANK/WALMART, PO BOX 960090, Orlando, FL 32896-0090  
14280575\* +Sears/Chna, PO Box 6283, Sioux Falls, SD 57117-6283  
14280576\* +Springleaf, PO Box 64, Evansville, IN 47701-0064  
14280578\* Synchrony Bank/JCP, PO BOX 960090, Orlando, FL 32896-0090  
14280563\* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
(address filed with court: ELAN FINANCIAL SERVICES, PO BOX 108, Saint Louis, MO 63166)  
14280581\* +Verizon, 500 Technology Drive Suite 30, Weldon Spring, MO 63304-2225  
14280568\* +Kay Jewelers, 375 GHENT RD, Akron, OH 44333-4600  
14280539 ##+CCS/FIRST SAVINGS BANK, 500 E 60TH ST N, Sioux Falls, SD 57104-0478

TOTALS: 2, \* 25, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 27, 2017

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 25, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Paul W. McElrath, Jr. on behalf of Debtor Paul W. Koprivnak ecf@mcclathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com;pashcroft@ecf.courtdrive.com;pghecf@bernsteinlaw.com;cabbott@ecf.courtdrive.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5